

CONCERNING RECENT ACTIONS BY THE GOVERNMENTS OF NORTH KOREA AND SOUTH KOREA

SEPTEMBER 2, 1976.—Referred to the House Calendar and ordered to be printed

Mr. FRASER, from the Committee on International Relations,
submitted the following

REPORT

together with

SUPPLEMENTAL VIEWS

[To accompany H. Res. 1506]

The Committee on International Relations, to whom was referred the resolution (H. Res. 1506) relating to the sentencing of 18 South Koreans, having considered the same, report favorably thereon with amendments and recommend that the resolution as amended do pass.

The amendments are as follows:

Strike out all after the resolving clause and insert in lieu thereof the following:

That it is the sense of the House of Representatives that the House—

(1) (A) deplores the killing on August 18, 1976, by forces of the Democratic People's Republic of Korea (North Korea) of two officers of the United States Army engaged in a peaceful mission of the United Nations Command in the Demilitarized Zone;

(B) conveys sympathy to the families of the two slain Americans, Major Bonifas and Lieutenant Barrett; and

(C) calls upon the Government of the Democratic People's Republic of Korea to desist from acts which heighten tensions along the Demilitarized Zone and in and around the Korean peninsula; and

(2) (A) expresses regret over the sentencing by the Republic of Korea (South Korea) of 18 distinguished citizens for their part in a declaration on March 1, 1976, calling for the rescinding of the existing Presidential Emergency Decree in the Republic of Korea; and

(B) respectfully urges the Government of the Republic of Korea to remit their sentences.

Amend the title so as to read:

"Resolution expressing the sense of the House of Representatives concerning recent actions by the Governments of North and South Korea."

PURPOSE

The purpose of House Resolution 1506, as amended, is to express the sense of the House in disapproval of two recent actions which took place under the responsibility of the Governments of the Democratic Republic of Korea (North Korea) and the Republic of Korea (South Korea). The two actions are: the killing by North Koreans military personnel of two officers of the United States Army engaged in a peaceful mission under the United Nations Command in the Demilitarized Zone on August 18, 1976; and the sentencing by the Republic of Korea of 18 South Koreans for criticizing the government.

COMMITTEE ACTION

On August 31, 1976, Hon. Donald M. Fraser, together with 18 co-sponsors from the Committee introduced House Resolution 1506 expressing regret over the sentencing of 18 South Koreans for their part in a declaration calling for the restoration of democracy in South Korea and urging that the South Korean Government remit their sentences.

The legislation was referred to the Committee on International Relations, which considered it in an open session on September 1, 1976. The committee adopted an amendment offered by Mr. Fraser, the principal substance of which was to add three points: (1) deploring the North Korean killing of two Americans on August 18, 1976; (2) expressing sympathy to the families of the slain Americans; and (3) calling on North Korea to desist from acts which heighten tensions in Korea. The amendment had been drafted in consultation with Hon. Edward J. Derwinski, whose support for it was announced to the committee by Hon. Robert J. Lagomarsino. By a unanimous voice vote with 18 members present, the committee adopted the resolution as amended.

BACKGROUND

North Korea

On Wednesday morning, August 18, 1976, two U.S. Army officers were beaten to death by North Korean military personnel using the blunt ends of axes. The two officers, Capt. Arthur G. Bonifas and 1st Lt. Mark Barrett, were engaged in a routine and nonthreatening work detail, to prune a tree in the Joint Security Area at Panmunjom in the Demilitarized Zone of Korea. The work party was operating under orders of the United Nations Command and was comprised of both American and South Korean personnel. It had been determined that the tree in question should be pruned because it was blocking the line of sight between two guardposts of the United Nations Command. Photographs of the area shown to members of the Committee on International Relations leave no doubt about the tree being an obstruction to clear lines of vision: it appeared to be a very tall tree with thick foliage throughout most of its height.

At a joint public hearing on September 1, 1976 of the Subcommittee on International Political and Military Affairs and the Subcommittee on International Organizations, Ambassador Arthur Hummel, Assistant Secretary of State for East Asian and Pacific Affairs reported

that routine maintenance and grounds-keeping tasks such as tree-pruning have been performed in the Joint Security Area by both sides over the years with no prior consultation with each other. On other occasions United Nations Command personnel have been subjected to various forms of North Korean harassment in the area, including one incident in 1975 when an American officer was seriously injured by a kick in the throat. But at no time had incidents in the Joint Security Area resulted in fatalities.¹

The committee deplores the slaying of Captain Bonifas and Lieutenant Barrett, so obviously unprovoked by their individual behavior, unwarranted by the nature of a peaceful tree-pruning operation, and unprecedented in the Joint Security Area of the Demilitarized Zone. The deliberate intent of the North Koreans seems beyond question since witnesses to the incident reported one North Korean officer shouting "kill!", then immediately knocking Captain Bonifas to the ground himself.

North Korea is guilty of a brutal act of murder for all the world to see clearly.

House Resolution 1506 expresses the sympathy of the House of Representatives to the bereaved families of Major Bonifas (promoted posthumously because his name was on the promotion list at the time of death) and Lieutenant Barrett, and if the resolution is passed by the House, the committee intends to transmit the expression in writing to their wives.

In calling upon North Korea to desist from acts which heighten tensions in the Demilitarized Zone and in and around Korea, the committee is regrettably aware that a long succession of provocations by North Korea has had the cumulative effect of intensifying feelings of insecurity over the armed truce and postponing the time when the Korean people can be peacefully reunited in accordance with their own wishes. This most recent incident, far from isolated, fits into a pattern of varying frequency and magnitude over a period of many years. During nearly a quarter of a century since the Armistice was signed in 1953, North Korea has maintained its determination to reunify Korea on its own terms as evidenced by: diplomatic efforts in the United Nations and elsewhere; propaganda campaigns alleging that the United States is on the verge of making war on North Korea (most recently only two weeks before killing the two Americans); seizure of American and South Korean vessels; shooting down American and South Korean aircraft; dispatching a commando unit to raid the South Korean President's residence in Seoul; and precipitating many hostile exchanges in the DMZ. Whatever North Korea's broader motive may have been in the August 18 incident, the committee is cautiously hopeful that President Kim Il-sung's subsequent unprecedented statement of regret over the incident's occurrence may signal a change in approach from the pattern of past years. At the joint subcommittee hearing, Ambassador Hummel also expressed the belief of the State Department that the Soviet Union and China, North Korea's allies, do not favor North Korean moves that would destabilize the situation in Korea, and that the "restrained handling" of the August 18 incident in the Soviet and Chinese media "clearly indicated a lack of enthusiasm

¹ See appendix I for a detailed description of the incident by the Department of State.

for the North Korean provocation and a reluctance to be sharply critical of our response."

In response to a request by Hon. Benjamin A. Gilman, the committee strongly recommended that the United Nations conduct, at the earliest possible date, a thorough investigation of the North Korean killing of the two U.S. Army officers and that it recommend appropriate remedial steps to punish those responsible and prevent such actions in the future.

South Korea

House Resolution 1506 expresses regret over the sentencing on August 28, 1976, by the Republic of Korea of 18 distinguished citizens² for their part in a declaration which included a demand for immediate rescinding of the Presidential Emergency Decree³ which makes it a crime to criticize the Government. The resolution also respectfully urges the South Korean Government to remit the sentences.

The statement, entitled "Declaration on Democracy and National Salvation"⁴ was read at an ecumenical service at Myongdong (Catholic) Cathedral in Seoul on March 1, 1976. The statement asserted that:

In the midst of our bitter struggle against the communist regime of the north, we should always maintain our democratic force in coping with the north. Without the backing of democratic force, national defense as well as economic power is like a house standing on sand.

The statement also made several demands for—

The immediate rescinding of the existing Emergency Decree which suppresses the people;

The release of good citizens and students who have been imprisoned for standing up for democracy;

The return to the people of freedom of speech, press and assembly;

The restoration of the parliamentary system which was reduced to a skeleton by the Yushin Constitution; and

The independence of the judiciary.

The government of President Park Chung-hee arrested persons associated with the declaration and charged them with violation of Presidential Emergency Decree No. 9 (May 13, 1975). After a trial lasting several months, all 18 defendants were convicted for committing the following acts prohibited by the decree: spreading "false rumors"; advocating repeal or revision of the constitution; criticizing the Decree itself.

The sentences ranges from a maximum of eight years imprisonment to a minimum of two years. Those sentenced include some of South Korea's most distinguished citizens—prominent political, religious, and academic leaders. Among them are: Kim Dae-jung, President Park's opponent in the last presidential election before adoption the present constitution; Yun Po-Sun, former President of South Korea; Chung Il-hyung, Member of the National Assembly and former for-

² See appendix II for the full text of the Presidential Emergency Decree.

³ See appendix III for a list of the 18 sentenced.

⁴ See appendix IV for the full text of the Declaration.

eign minister; Yi Tae-young, first woman lawyer in South Korea; Hahm Suk-hon, known as "the Mahatma Gandhi of Korea" for his Quaker resistance to communism and non-Communist repression; several priests, Protestant clergymen and university professors.

Reports received by the committee concerning those sentenced indicate that they are individuals who are non-violent, generally conservative, committed to democratic government, and firmly opposed to communism. Appeals of the sentences are apparently under way; accordingly, House Resolution 1506 respectfully urges the Republic of Korea to remit their sentences.

The concern of Congress on behalf of human rights in South Korea is expressed in Section 412 of the International Security Assistance and Arms Export Act of 1976 which states:

The Congress views with distress the erosion of important civil liberties in the Republic of Korea and requests that the President communicate this concern in forceful terms to the Government of the Republic of Korea within 60 days after enactment * * *.

The Committee has been notified that on August 30, 1976, Assistant Secretary of State Arthur Hummel conveyed this expression of concern in person to the South Korean Ambassador. On July 22, Secretary of State Kissinger stated in a speech:

* * * we will continue to remind the South Korean Government that responsiveness to the popular will and social justice are essential if subversion and external challenge are to be resisted.

Human rights in South Korea have also been the subject of eight hearings by the Subcommittee on International Organizations during the past 2 years.

The Committee on International Relations, in favorably reporting House Resolution 1506, believes that it is a measured and appropriate expression of the sense of the House on two points of active concern in the Congress: the lives of Americans assigned to keep an armistice through which the United States seeks a final peaceful resolution of the conflict with North Korea; and democratic justice in the Republic of Korea, our country's ally.

COST ESTIMATE

Passage of House Resolution 1506 would not authorize appropriations of any funds.

STATEMENTS REQUIRED BY CLAUSE 2(1)(3) OF RULE XI OF THE RULES OF THE HOUSE

Pursuant to the requirements of Clause 2(1)(3) of the Rules of the House of Representatives, the following statements are made:

(A) OVERSIGHT FINDINGS AND RECOMMENDATIONS

The committee's interest in the subject of House Resolution 1506 is an exercise of its oversight responsibilities for the foreign policy

aspects of U.S. participation in the United Nations Command in Korea, the Mutual defense Treaty with the Republic of Korea, and relations generally with the Republic of Korea. During the 93d and 94th Congress, the Subcommittee on International Relations held eight public hearings on human rights in South Korea, and on September 1, 1976, a hearing on the August 18 incident in the Korean DMZ was held jointly by the Subcommittee on International Political and Military Affairs and the Subcommittee on International Organizations. Testimony at these hearings was received from officials of the executive branch, the Congress, business, academia, and churchmen.

(B) CONGRESSIONAL BUDGET ACT SECTION 308(A) REQUIREMENT

This measure provides no new authority or increased tax expenditures.

(C) CONGRESSIONAL BUDGET OFFICE ESTIMATES AND COMPARISON

No estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974 was received by the committee.

(D) COMMITTEE ON GOVERNMENT OPERATIONS SUMMARY

No oversight findings and recommendations have been received which relate to this measure from the Committee on Government Operations under Clause 2(b) (2) of Rule X.

COST ESTIMATE

Passage of House Resolution 1506 would not authorize appropriations of any funds.

INFLATIONARY IMPACT STATEMENT

House Resolution 1506, a resolution expressing the sense of the House on matters not pertaining to the national economy, is inapplicable to inflationary impact.

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APPENDIX I

DESCRIPTION OF INCIDENT IN KOREAN DMZ ON AUGUST 18, 1976 IN WHICH TWO AMERICAN OFFICERS WERE KILLED BY NORTH KOREANS

(Excerpt from testimony by Ambassador Arthur J. Hummel, Jr., Assistant Secretary of State for East Asian and Pacific Affairs before a joint hearings of two subcommittees of the House Committee on International Relations, September 1, 1976)

Before I describe this incident, let me make some comments on the Joint Security Area. This is a small, roughly circular area of the Demilitarized Zone some 800 yards in diameter in which the Military Armistice Commission meetings are held. It is a neutral area, maintained and patrolled by both sides. Each side is permitted to have 35 armed guards in the area at any given time. Larger groups of unarmed work personnel are permitted. Specific maintenance and grounds-keeping tasks, such as the pruning of trees, have been carried out by each side without prior consultation with the other. The North Koreans have frequently caused incidents in the Joint Security Area, harassing United Nations Command personally, engaging in verbal threats and on occasion in physical assaults. In 1975 a United Nations Command officer was knocked to the ground and severely injured with a kick to the throat.

With respect to the tree involved in the August 18 incident, it was found that the foliage on this tree was obstructing the line of sight between two United Nations Command guardposts. One of these guardposts was near the North Korean side of the Military Demarcation Line near the Bridge of No Return. It was felt that if this guardpost were not fully visible from the other, the chances for its being subject to harassment or attack by North Korean personnel was increased. It was decided, therefore, to remove the obstruction.

On August 6 a work party went to the tree, which is located in the United Nations Command side of the Military Demarcation Line, for the purpose of felling it. North Korean guards told them to leave the tree alone, although they did not lodge a formal protest over the matter. Subsequently, it was determined that guard-post visibility could be improved by trimming the tree rather than cutting it down.

On Wednesday, August 18, 1976, at approximately 10:30 local time, a United Nations Command work crew of five Korean laborers accompanied by three United Nations Command officers (two U.S. and one Republic of Korea) and a seven man security force arrived in the Joint Security Area at Panmunjom. Their purpose was routine and non-threatening; namely, to prune the tree.

Shortly after the party began its work, two North Korean Army officers and about nine enlisted men arrived in a truck. They inquired about the work in progress. After being told that the tree was to be trimmed, not cut down, one North Korean Army officer stated that this

was "good." Work continued for 10-15 minutes during which some North Korean Army personnel tried to direct the United Nations Command workers on how to prune the tree. At about 10:50, some 20 minutes after work began, one North Korean Army officer told the United Nations Command officer to halt work. After a short discussion, the North Korean Army officer threatened the United Nations Command personnel. The United Nations Command officer told his men to keep working. The North Korean Army officer then ordered the Korean laborers to stop working. The United Nations Command officer indicated that work would continue at which point the North Korean Army officer sent a guard across the bridge, apparently to summon reinforcements. Several minutes thereafter the number of North Korean Army guards on the scene had increased to approximately 30.

At this point, one North Korean Army officer put his watch, which he had wrapped in a handkerchief, into his pocket. Another rolled up his sleeves. One officer yelled "kill" and then struck Captain Bonifas, knocking him to the ground. Five other North Korean Army guards jumped on Bonifas and continued to beat him. Other North Korean Army guards attacked the other United Nations Command guards, beating them with axe handles and clubs. United Nations Command witnesses reported that North Korean Army guards picked up the axes used by the three pruners. Captain Bonifas was beaten with the blunt head of the axes while he was on the ground. All United Nations Command personnel received repeated beatings even though they tried to break contact and leave the area.

Casualties from this incident—which lasted less than five minutes—were two United States Army officers killed, four U.S. Army enlisted personnel wounded, and four enlisted Korean augmentees to the U.S. Army wounded.

APPENDIX II

PAK ISSUES EMERGENCY DECREE BANNING ASSEMBLY AND CRITICISM

Seoul Domestic Service in Korean 0515 GMT May 13, 1975

[Report on presidential emergency decree No. 9 issued on May 13, by Pak Chong-hui.]

President Pak Chong-hui held a cabinet meeting today at the presidential mansion. The meeting approved a draft emergency measure lifting presidential emergency decree No. 7 and also approved presidential emergency decree No. 9 aimed at the preservation of national security and public order. Here are details of the new emergency decree—

1. Each of the following acts shall be prohibited :

A. An act fabricating or disseminating false rumors or misrepresenting facts.

B. An act denying, opposing, misrepresenting or defaming the constitution; or asserting, petitioning, instigating, or propagandizing revision or repeal of the constitution by means of assembly, demonstration or through public media such as newspapers, broadcasts, or press services; or by such other means of expression such as writings, books or recordings.

C. An assembly, demonstration or political activity except for classes or research programs under the supervision of school authorities, or except when authorized by the school principal in advance, or for routine political activities.

D. An act openly defaming this decree.

2. It shall be prohibited for anyone to openly propagate any act or acts which are prohibited in Article 1 or to manufacture, disseminate, sell, possess or exhibit materials of such propagation.

3. It shall be prohibited for anyone, for the purpose of removing property abroad, to remove property of the Republic of Korea or that of a ROK citizen or to conceal or dispose of property due to be introduced into Korea.

4. It shall be prohibited for anyone to obtain a permit to emigrate by making false entries on the required forms or by other unlawful means or to flee from the country by such means.

5. The ministers concerned shall be empowered to issue or take each of the following orders or measures against the school, organization or business firm to which the offender belongs at the time he violates the present decree, or against its representative or head :

A. To order the dismissal or expulsion of an employee, teacher, student or his head;

B. To take measures to dismiss or expel an employee, teacher, student or his head;

(9)

C. To ban broadcasts, press reports, news production, sales and dissemination;

D. To order business suspension, school closure, newspaper suspension, deactivation or closedown; and

E. To cancel an approval, registration, permit, or license.

6. Even if remarks made by a National Assembly member on the parliamentary floor while performing his duties prove to be in violation of the aforementioned measures, he shall not be subject to punishment. But this is not the case with those who have intentionally diffused such remarks by means of broadcasts, press reports and other means.

7. Those who have violated the aforementioned measures and other related measures taken by the ministers concerned shall be sentenced to not less than 1 year imprisonment. In this case, a violator will be also subject to suspension of civil rights for up to 10 years. This shall also apply to those who have put prohibited things into print or planned or plotted them.

8. A violator of the aforementioned measures and of other related measures taken by the ministers concerned shall be subject to arrest, detention, confiscation or search without a warrant issued by a judge.

9. Upon enforcing these measures, a civil servant or an employee of a government-run enterprise who has violated Article 2 of the law on additional punishment for particular crimes or an accountant who has violated Article 5 of the law shall be subject to a fine 10 times more than the amount of bribery and damage to the national treasury.

10. A violator of these measures shall be tried by a civilian court.

11. Decisions necessary to enforce these measures shall be made by the ministers concerned.

12. The national defense minister, when requested by the mayors of Seoul or Pusan or a provincial governor, can use troops to maintain public safety and order.

13. The orders and measures issued by the ministers concerned under this decree shall not be subject to judiciary scrutiny.

14. This decree shall take effect as of 1500 on 13 May 1975.

APPENDIX III

THE 18 SOUTH KOREANS SENTENCED ON AUGUST 28, 1976

Kim Dae-jung (8 years)—1971 candidate for President of South Korea (New Democratic Party), polled 46 percent of vote against President Park, kidnapped by Korean CIA in 1973 from a Tokyo hotel and returned in custody to Korea, kept under house arrest for long period, ill health due to leg ailment.

Yun Po-sun (8 years)—elected President of South Korea 1960, in office until some months after coup by Park Chung-hee in 1961, regarded as a conservative, chose not to move ROK army against the coup, staunch anti-Communist, age 79.

Chung Il-hyung (5 years)—Foreign Minister 1960-61, respected widely as man of exceptional integrity, deeply religious Presbyterian, jailed for resistance to Japanese rule, Member of the National Assembly (New Democratic Party), age 72.

Ms. Yi Tae-young (5 years)—South Korea's first woman lawyer, wife of *Chung Il-hyung* (above), legal specialty is domestic relations, recipient of Magsaysay Award from the Philippines Government for her work among the urban poor.

Hahn Suk-hon (8 years)—jailed for nonviolent resistance to Japanese rule and government of Syngman Rhee, known for strong opposition to Communism, a Quaker, known as "Mahatma Gandhi of Korea," wears traditional Korean dress and beard, age 75.

Moon Tong-hwan (5 years)—Presbyterian minister who preached sermon at ecumenical service in Myondong Cathedral when the "Declaration on Democracy and National Salvation" was read, forced by government out of teaching position at Hanguk Theological Seminary, married to native American.

Ms. Lee Woo-jung (5 years)—professor of religious philosophy at Yonsei University until forced out by government, U.S.-educated, arrested previously for outspoken opposition to government-supported prostitution for Japanese visitors, read the Myondong Declaration from the pulpit at the March 1 ecumenical service.

Hahn Sei-yong (5 years)—head of Catholic Priests' Organization for Restoration of Democracy, now in solitary confinement and denied sacraments of the Church and attendance at religious services.

Moon Ik-hwan (8 years)—named by government prosecutors as a principal organizer for the Myondong Declaration, Presbyterian minister, elder brother of Rev. *Moon Tong-Hwan* (above).

Moon Chong-hyon (5 years)—Catholic priest in solitary confinement, denied church sacraments and attendance at religious services.

Shin Hyon-pong (5 years)—Catholic priest from Wonju Diocese of Bishop Daniel Chi, in solitary confinement and denied church sacraments and attendance at religious services.

Lee Moon-young (5 years)—professor at Korea University until forced out by government.

Soh Nahm-dong (3 years)—Dean of Divinity School at Yonsei University until forced out by government.

Lee Hae-tong (3 years)—Protestant minister.

Ahn Pyong-mu (3 years)—professor.

Chong Tak-pil (2 years)—Catholic priest.

Kim Sung-hun (2 years)—Catholic priest.

Yun Pan-ung (5 years)—Protestant minister.

APPENDIX IV

DECLARATION ON DEMOCRACY AND NATIONAL SALVATION

(Issued in Seoul, Korea on Mar. 1, 1976)

In commemoration of the 57th anniversary of the March 1st Movement today, we recall the loud demand and clamor for independence which echoed around the world reverberating clearly in 1919. Therefore, if we just remain silent, we would be guilty of burying the memory of our ancestors' bloodshed. So, we are gathered together and proclaim this declaration on Democracy and National Salvation.

Although our liberation on August 15, 1944 brought us the division of our fatherland and many subsequent harsh trials, we have never given up our hope. We suffered but survived the ordeal of the Korean War and overthrew Synman Rhee's dictatorial regime in the April 19 Student Revolt. We still kept alive in our hearts the ideal of freedom and democracy.

However, this ideal was short-lived. Koreans have been bound by the chains of another dictatorial regime. The separation of the three branches of our government is only nominal. In the name of national security, religion and freedom to exercise dictates of conscience have been diminished; and freedom of the press and academic freedom have been snuffed out under the pretense of national security.

With the agreement entered into by Korea and Japan by this regime, the Korean economy has been completely subjugated to domination by Japanese economic interests. All industry and the entire labor force have been sacrificed due to Japanese economic aggression and strangulation.

In the eyes of the world Korea has become a miserable orphan in international society. The idea that the Republic of Korea is the sole legitimate government recognized by the United Nations has now become a myth of the past. The present regime has not paid any attention to the third world movement which has become prominent and emerged as a new force in world history. Ignoring this, the regime has relied solely upon the western world, but the west is now trying to disassociate with this regime.

The Park regime is responsible for dragging this nation to its present condition, and should face up to the loss of confidence of friendly nations because of its repression of domestic critics.

In view of the emergence of the third world, before the transformation of the U.N., the regime should see the present tide of world history with its far-reaching implications and face up to its responsibility.

In spite of our effort to advance, step by step, to our goal of national unification by strengthening and uniting democratic forces within and

abroad under one-man dictatorship, in this country human rights have been downtrodden, and freedom has been mercilessly denied.

Thus, Koreans have lost their goals and sense of direction; their belief in democracy is slowly but surely approaching the final catastrophe. We are unable to stand still and wait for this catastrophe to take place, so we proclaim here this Declaration on Democracy and National Salvation transcending political issues and interests of the party in power and the opposition.

1—THIS NATION SHOULD STAND ON THE FOUNDATION OF DEMOCRACY

Democracy is the fundamental guiding principle of the Republic of Korea. The legality of the Republic of Korea is based on democracy, thus democracy should not be subverted under any pretext. In the midst of our bitter struggle against the communist regime of the north, we should always maintain our democratic force in coping with the north. Without the backing of democratic force, national defense as well as economic power is like a house standing on the sand.

But, what is the meaning of democracy? It does not mean a certain particular system which has been practiced in other countries, but is the posture and belief developing the best system and continuously improving with respect for the interest and happiness of the citizens who make up a society.

Therefore, with democracy the concept of government by the people should precede the concept of government for the people. The judgment of what is good for the people and the nation should be made "by the people". Democracy cannot succeed with the belief "for the people" without heeding the concept "by the people." If anyone thinks democracy can succeed without heeding what the people want, it is like saying that order and obedience are democracy. This is not for the benefit of the people. People do not need only obedience but demand positive participation. People cannot abandon their basic rights to supervise and criticize the government. Abandoning basic rights is tantamount to abandoning democracy itself.

Then, what is the way to achieve the concept of government "by the people"? It lies in the people's basic right of freedom. People should be guaranteed the right to express themselves without fear of physical or psychological threat.

Therefore, we demand the immediate rescinding of the existing Emergency Decrees which suppress the people; we demand the release of good citizens and students who have been imprisoned for standing up for democracy. And we demand the return to the people of freedom of speech, press, and assembly so that the people might freely express their thoughts.

Next, we demand the restoration of the parliamentary system which was reduced to a skeleton by the Yushin Constitution. The National Assembly should reflect the people's freely expressed will with legislation, and the executive branch of the government should reflect this legislation in its administrative policies. Any government that hinders or obstruct this course of governing while pretending to work for the people does not mean to serve the people.

Furthermore, we demand the independency of the judiciary. Without the independent judiciary, people have no way to be protected from the tyranny of the ruler. Therefore, any regime that subjugates the judiciary should be considered as having no intention of acting for the benefit of the people.

2—ECONOMIC DEVELOPMENT POLICY SHOULD BE FUNDAMENTALLY REASSESSED

We realize that economic development is vital to national welfare. However, economic force does not necessarily mean national force. Moreover, the present regime is pouring its energy into economic development while sacrificing everything with the short-sighted notion that economic force is national force. It drains all available resources into economic development.

But, what is the result thereof? An export oriented industry based on the expropriation of the national economy has accumulated an enormous \$4 billion trade deficit during the two-year period of 1974-5. The emerging of this deficit is unlikely to be reduced in the future. As of the end of 1975, the total debt of this country is \$5.78 billion. When the industry heavily financed by foreign loans become insolvent, who is to shoulder this burden of debt? From the beginning, national economic policy which deprived laborers and farmers right to organize and strike, especially, against the industry reliant on foreign capital investment, subjected these people to the mercy of exploitation. In developing the export oriented industry, the policy should have been for the social well-being of the people instead of trying to develop a big modern industry at the expense of an agricultural sector. Because the emphasis was put on means, not on end, the outcome of that economic policy evidenced in corruption.

If the current situation does not improve, it is only a question of time before we face economic chaos. The present regime long ago lost the capability of rescuing this country from such chaos, for the economic failure and corruption originated from the very heart of its political power structure.

As the matter stands now, the Park regime must take the responsibility for the worsening situation and resign. We consider it imperative that the government be replaced so that proper negotiations can be held with creditor nations and banking institutions for the extension of debt repayment before confidence in Korea is completely lost among nations, and thus prevent this country from experiencing total economic chaos.

As the present regime lacks in humble courage to follow this suit, we urge that it completely re-examine its economic policy even if it means dissecting the very heart of the system. Recognize the truth without trying to justify failure. Re-examine the present expanded budget which disregards the people's ability to bear tax. Promote the people's purchasing power by far-reaching and courageous execution of the redistribution of wealth.

By these remedies, eradicate the "rich getting richer and the poor getting poor" syndrome which is what communism feeds upon. Thus,

bring about confidence in government and restoration of democracy so that initiatives for the unification with the north can be achieved.

3—NATIONAL REUNIFICATION IS OUR ULTIMATE GOAL

The tragic partition of this country has provided the regimes in both the south and the north the excuse for dictatorship for the past 30 years since liberation and exhausted psychological and material resources which should have been mobilized for national prosperity, the people's happiness, and creative progress. In view of Korea's industrial productivity and economic strength, it is almost impossible to equip more than one million soldiers in standing armies in the south and north, and maintain them without receiving military assistance from other countries. Another thing we cannot endure is the fact that wisdom and creativity of this nation have been wasted on destructive purposes rather than being mobilized for the enrichment of our culture.

Therefore, national reunification is the ultimate goal to be achieved by our people. This is the paramount task for the 50 million Koreans to overcome with their wisdom and courage. Any individual or group trying to use or hinder this goal of national reunification for their own self-serving purpose cannot escape the severe judgment of history.

The success of national reunification depends upon the attitudes of politicians in South and North Korea. If one sincerely loves the people and the nation, he should have the wisdom and courage to grasp the chance for unification by carefully observing the changing tide of the international situation. This is the diplomatic initiative we have to pursue.

At this fateful moment of our democratic history, we must pursue the great charter of democracy whose system and policy must be created by the people and for the people. The question is whether or not we are fostering democratic ideals to face the oncoming challenge. A true democracy can overcome communism and bring about national reunification.

This task calls for the creation of a new history to which all 50 million Koreans must dedicate themselves.

We must rekindle the torch first lit in the March 1st Independence Movement and again in the April 19 Student Revolt.

We who have been caught in the struggle between democracy and communism must exhibit to the world a true picture of democracy.

It is time for us to unite our people with peace and justice with human rights and to stand tall among nations.

SUPPLEMENTAL VIEWS OF HON. EDWARD J. DERWINSKI

The primary purpose of these brief remarks is to provide my colleagues with a legislative resume of how this Resolution came to be what it is today. Such a recapitulation is necessary in order for one to gain some appreciation of how less controversial this product is vis-a-vis its antecedent.

The original resolution was totally one-sided in its thrust and simply took a gratuitous swipe at the government of South Korea without any reference whatsoever to the bellicose activities of its neighbor to the north. No mention was made of the wanton and barbaric slaying by North Korean forces of two U.S. army officers who were engaged in a peaceful mission within the Demilitarized Zone (DMZ).

I found another major shortcoming of the initial version to be its failure to take into account the fact that the North Koreans are principally responsible for the inexorably high level of tension that exists not only within the DMZ but also in and around the Korean Peninsula. In fact, of late, they appear to be going out of their way to provoke incidents that will intensify their never ending war of nerves. How else can one explain the recent seizure of a South Korean fishing vessel? What normal, peace loving nation would detain a ship and its crew for innocently and inadvertently straying into forbidden waters because of extremely adverse weather conditions?

Indeed, looking back over the past few months, one finds that the North Korean Government and/or its representatives have been conspicuously and belligerently posturing on a variety of fronts ranging from the DMZ to the conference of the non-aligned nations at Sri Lanka. Given this highly aberrant behavior, it is little wonder that the people of South Korea and their government live in an atmosphere of perpetual tension and anxiety.

It was against this backdrop that this resolution was finally fashioned and adopted. In my opinion, it has room for improvement. Consequently, I urge each member to bear this in mind and weigh the measure's contents most carefully when it comes to the House floor for consideration.

EDWARD J. DERWINSKI.



